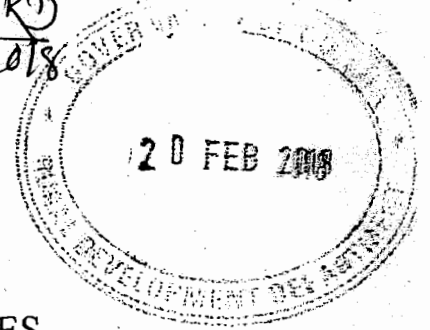


DY. NO - 3558/RD  
DA - 20/2/2018



GOVERNMENT OF ODISHA  
DEPARTMENT OF WATER RESOURCES

File No.: 20562400542017 Letter No.: 3570  
(IIM-16/2018)

Date: 8/02/2018

From :

Sri N.R. Swain,  
FA-cum-Additional Secretary to Govt.

To :

The EIC, Water Resources.  
The Chief Engineer, Minor Irrigation.  
All Chief Engineer & Basin Managers.  
All Chief Engineers.  
All Chief Construction Engineers.  
The M.D, OCC Ltd.  
The M.D, OLIC.

**Sub:- Clarification regarding Single Tender.**

Sir,

In inviting a reference to the captioned subject, I am directed to say doubts have been raised regarding what constitute a single tender as per Clause-29 of OPWD Code Vol-II. After amendment in the year, 2015, the Clause - 29 of OPWD Code Vol-II stands as "When in response a notice calling for tenders, only a single tender is received in the first time, the tender shall be cancelled without opening of the bid and fresh tender be invited publicity. If single tender is received, even after retendering then the approval of the next higher authority should be obtained, if the tender is otherwise in order and acceptable". Prior to 2015 in case of single tender the approval of next higher authority was to be obtained before accepting the tender.

The Works Department vide their letter No.1581, dated 16.02.2012 and also in letter No.3869, dated 11.04.2012 had clarified that in response to a tender call notice when more than one participation is made and after technical evaluation, only one responsive bidder is qualified for the work, approval of next higher authority should be taken as per Para 3.5.18, Notes (iii) of OPWD Code, Volume-I is not necessary, as this is not a case of single tender.

Sr. (Bridges)  
Intimate all  
SEs & EEs  
for n/a  
6/3

8 (Swain)  
9  
75

However, on a reference the Works Department has recently clarified as under:

"Works Department O.M. No.16, dated 01.01.2015 implies that single tender received in the first call shall be cancelled without opening of bid and in case when more than one tender have been received in the first call and only a single tender is found to be responsive, the same is also liable to be cancelled due to lack of competitive price bidding". The issue has been settled by the Hon'ble Odisha High Court in their judgement passed on 9.05.2017 in WP (C) No.22315 of 2016 in case of M/s. Debabrata Samal -Vrs. - State of Odisha.

It is therefore, informed that the instruction of Works Department for deciding cases of Single Tender may be followed scrupulously.

Yours faithfully,

*C. Pradhan*  
06/2/18  
F.A-cum-Addl. Secretary.

Dt 07.03.18

5780

Copy send to all SE's/ EOA for ref

*Eng*

*to*  
*SE's*